

# JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Morey L. Sear  
United States District Court  
Eastern District of Louisiana

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States District Court  
Western District of Tennessee

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
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<http://www.jpml.uscourts.gov>

December 10, 2001

FILED  
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DEC 13 2001

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

Bruce Rifkin, Clerk  
2155 William Kenzo Nakamura  
U.S. Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule A of Order)

Dear Mr. Rifkin:

A conditional transfer order was filed in the actions listed on the attached schedule on September 20, 2001. Prior to the expiration of the automatic fifteen-day stay, and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), opposition to the proposed transfer was filed and the conditional transfer order was stayed until further order of the Panel. A request for withdrawal of the previously-filed opposition to the proposed transfer has been received by this office and an order is being filed lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. §1407. I am enclosing a certified copy of today's order lifting the stay.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

I hereby certify that the  
annexed instruments is a true  
and correct copy of the original  
on file in my office.

ATTEST: BRUCE RIFKIN

Clerk, U.S. District Court  
Western District of Washington

By Mary Joett  
Deputy Clerk

By April C. Layne  
Deputy Clerk

Enclosures

cc: Transferee Judge: Hon. Barbara Jacobs Rothstein  
Transferor Judges: Hon. Tom Stagg; Hon. Donald E. Walter  
Transferor Clerk: Robert H. Shemwell

JPML Form 69

IDENTIFIED TRUE COPY

12/10/01

ATTEST  
FOR THE JUDICIAL PANEL OF  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DEC 10 2001

FILED  
CLERK'S OFFICE

**DOCKET NO. 1407**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
LITIGATION**

**(SEE ATTACHED SCHEDULE A)**

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in the seven actions listed on the attached Schedule A on September 20, 2001. Prior to expiration of the mandatory fifteen-day stay of execution, plaintiffs in the seven actions filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. These plaintiffs have now advised the Panel that they withdraw their initial opposition to the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-1" filed on September 20, 2001, is LIFTED insofar as it relates to the seven actions listed on the attached Schedule A, and thus these actions are transferred to the Western District of Washington for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. §1407 being conducted by the Honorable Barbara Jacobs Rothstein.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

I hereby certify that the  
annexed instruments is a true  
and correct copy of the original  
on file in my office.  
ATTEST: BRUCE RIFKIN  
Clerk, U.S. District Court  
Western District of Washington  
By *[Signature]*  
Deputy Clerk

**SCHEDULE A FOR ACTIONS ON CTO-1**

**MDL-1407 – IN RE PHENLYPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
LITIGATION**

**Western District of Louisiana**

*Peggy Webb, etc. v. Bayer Corp.*, W.D. Louisiana, C.A. No. 5:01-1159  
*Barbara Evans v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 5:01-1486  
*Malvine Moore v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 5:01-1487  
*Samantha Samuels, et al. v. Bayer Corp.*, W.D. Louisiana, C.A. No. 5:01-1488  
*Diane Thomas, et al. v. Bayer Corp., et al.*, W.D. Louisiana, C.A. 5:01-1489  
*Bobby Holmes, et al. v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 5:01-1490  
*Lorenzo Maiden v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 5:01-1500

**INVOLVED COUNSEL LIST FOR ACTIONS ON CTO-1  
DOCKET NO. 1407  
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
OFFICE OF THE CLERK

BRUCE RIFKIN  
CLERK

WILLIAM KENZO NAKAMURA  
U.S. COURTHOUSE, SUITE 215  
SEATTLE, WASHINGTON 98104

December 17, 2001

Honorable Robert H. Shemwell  
Clerk, US District Court  
1167 United States Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3083

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order - Order Lifting Stay of Conditional Transfer Order from CTO-1 entered by the Judicial Panel on Multidistrict Litigation. The Order became effective December 10, 2001. We have assigned an individual Western District of Washington (WAW) case number to your cases to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your files, please refer to our civil action number

Title of Case	Your Number	WAW Number
1. Peggy Webb vs. Bayer Corp	5:01-1159	CV 01 2056
2. Barbara Evans vs. Bayer Corp	5:01-1486	CV 01 2057
3. Malvine Moore vs. Bayer Corp	5:01-1487	CV 01 2058
4. Samantha Samuels vs. Bayer Corp	5:01-1488	CV 01 2059
5. Diane Thomas vs. Bayer Corp	5:01-1489	CV 01 2060
6. Bobby Holmes vs. Bayer Corp	5:01-1490	CV 01 2061
7. Lorenzo Maiden vs. Bayer Corp	5:01-1500	CV 01 2062

Sincerely,

BRUCE RIFKIN, CLERK

By *Mary Shett*